

PROB 12A
(6/16)**United States District Court**

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 20, 2023**

SEAN F. McAVOY, CLERK

Report on Offender Under Supervision
(No Action Requested)

Name of Offender: Toby Lee Olson, Jr. Case Number: 0980 2:08CR00137-WFN-25

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: March 16, 2010 Type of Supervision: Supervised Release

Original Offense: Conspiracy to Possess with Intent to Distribute, 21 U.S.C. §§ 841 and 846 Date Supervision Commenced: October 18, 2022

Original Sentence: Prison - 180 months Date Supervision Expires: October 17, 2032
TSR - 120 months

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition #19:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> On or about January 14 and February 4, 2023, Toby Olson allegedly violated special condition number 19 by consuming methamphetamine.</p>

U.S. Probation Officer Action:

The above-named individual appeared before Your Honor after he pled guilty to Conspiracy to Possess with Intent to Distribute, in violation of 21 U.S.C. §§ 841 and 846. Mr. Olson was subsequently sentenced to a 180-month term of custody. Upon release from Bureau of Prisons' custody, he was ordered to serve a 10-year term of supervised release subject to conditions of supervision.

On October 18, 2022, Mr. Olson was released from custody and began his current term of supervision. The next day, on October 19, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Olson, as outlined in the judgment and sentence. He signed the judgment acknowledging the requirements.

As ordered by the Court, the offender was referred to Pioneer Human Services (PHS) for a substance abuse assessment. On November 9, 2022, Mr. Olson participated in an assessment with PHS as arranged, and no treatment was ultimately recommended. Although treatment was not recommended, the offender remained subject to random urinalysis testing.

On February 7, 2023, the offender reported to the U.S. Probation Office for random urinalysis testing as instructed by the assigned probation officer. At that time, Mr. Olson was subject to testing and provided a urine sample that was presumptive positive for methamphetamine. He subsequently admitted to the use of methamphetamine on or

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about February 4, 2023, and he signed an admission of use form confirming that admission. Additionally, the offender further admitted to using methamphetamine approximately 3 weeks prior, on or about January 14, 2023.

On February 13, 2023, lab confirmation was received confirming that the urine sample provided by Mr. Olson on February 7, 2023, was in fact positive for methamphetamine.

In response to his admitted substance abuse, Mr. Olson was referred back to PHS for an updated assessment which recommended outpatient treatment engagement. In addition to treatment, the offender was also enrolled in phase urinalysis testing, and aside from a positive urine sample collected the very next day on February 8, 2023, there have been no additional positive samples.

While this officer is disappointed by the offender's admitted drug use, his willingness to be honest is encouraging. Since becoming aware of his illicit methamphetamine use, the offender has been subject to both random and phase urinalysis testing, and the U.S. Probation Office is not aware of any additional instances of drug use. Additionally, Mr. Olson is employed full time, and reports a support system that includes his mother, brother, and girlfriend. Based on the above-stated information, particularly Mr. Olson's willingness to be honest about his relapse and assume responsibility for the negative consequences such choices could have, the undersigned respectfully recommends the Court endorse the actions taken regarding this noncompliance, and no further action be taken at this time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On:

03/17/2023

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

- ☒ Court Concurs with Officer Action
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other



Signature of Judicial Officer

3/20/2023

Date